

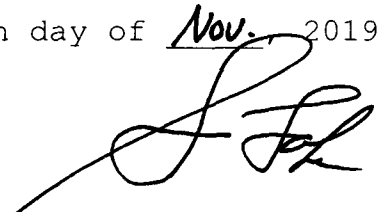
David J. Bradley, Clerk

On June 6, 2019, the court dismissed without prejudice the federal habeas corpus petition filed by state inmate Brett David Bogus, after finding that his state habeas application was still pending and that he had not exhausted all available state court remedies before seeking federal relief (Docket Entry No. 27). Bogus filed an appeal from that decision, which was dismissed for want of prosecution on September 27, 2019, after Bogus failed to timely file a motion for a certificate of appealability with a brief in support (Docket Entry No. 40, p. 1). Bogus has now filed "Petitioner's Motion for Rule 11 Order to Transfer Record" (Docket Entry No. 41), in which he asks the court to forward a copy of the record to the court of appeals pursuant to Fed. R. App. P. 11.

The record reflects that the Clerk's Office recently provided a paper copy of the record to Bogus on November 7, 2019, with instructions to prepare his brief using that copy of the paginated record (Docket Entry No. 42, p. 1). Presumably this was done to help the petitioner attempt to reopen his appeal. Because it is unclear from the docket sheet whether a copy of the record was also provided to the Fifth Circuit it is **ORDERED** that the Petitioner's Motion for Rule 11 Order to Transfer Record (Docket Entry No. 41) is **GRANTED**.

The Clerk will forward a copy of the record in this case to the Fifth Circuit and will provide a copy of this Order to the petitioner.

**SIGNED** at Houston, Texas, on this 14th day of Nov. 2019.

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SIM LAKE  
UNITED STATES DISTRICT JUDGE